

## Message Text

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ORIGIN EB-11

INFO OCT-01 EUR-25 ADP-00 AID-20 CEA-02 CIAE-00 COME-00

EA-11 FRB-02 INR-10 IO-13 NEA-10 NSAE-00 RSC-01

OPIC-12 TRSE-00 CIEP-02 LAB-06 SIL-01 OMB-01 L-03

STR-08 INT-08 /147 R

DRAFTED BY EB/ OT/ STA: RWINSTANLEY: CLJ

EXT. 23019:6/22/73

APPROVED BY STR: AGARLAND

TREAS: JGORLIN

INT: EGEALY

LABOR: DPARKER

STR: MPOMERANZ

COM: KKWABARA

EB/ OT/ STA: EWKEMPE

EUR/ RPE: AALBRECHT

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FM SECSTATE WASHDC

TO USMISSION OECD PARIS

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E. O. 11652: N/ A

TAGS: EGEN, OECD, US

SUBJECT: INSTRUCTIONS FOR US DELEGATION: JUNE 25-29 TCWP  
MEETING ON GOVERNMENT PROCUREMENT

1. THE TSC HAS APPROVED FOLLOWING INSTRUCTIONS FOR USDEL  
TO JUNE 25 MEETING OF TCWP ON GOVERNMENT PROCUREMENT.

2. FROM THE US POINT OF VIEW OECD DOCUMENT TFD/ TD/720  
( PRELIMINARY DRAFT OF AN INSTRUMENT CONCERNING GOVERNMENT  
PURCHASING POLICIES, PROCEDURES AND PRACTICES) IS A SATIS-  
FACTORY BASIS FOR A DRAFT GOVERNMENT PROCUREMENT CODE TO  
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BE PRESENTED TO THE TRADE COMMITTEE IN ACCORDANCE WITH THE INSTRUCTIONS TO THE WORKING GROUP. TFD/ TD/720 EITHER CONTAINS US VIEWS AS ALTERNATE BRACKETED TEXTS OR CONTAINS LANGUAGE WHICH IS ACCEPTABLE TO THE US.

3. ACCORDINGLY, THE US DELEGATE SHOULD ATTEMPT TO OBTAIN AGREEMENT IN THE WORKING PARTY TO FORWARD TO THE TRADE COMMITTEE A DRAFT ACCEPTABLE TO THE US, BASED ESSENTIALLY ON MFD/ TD/720. THE US DELEGATE SHOULD STRESS THE IMPORTANCE OF GETTING A DOCUMENT TO THE TRADE COMMITTEE WITHIN THE DEADLINE SPECIFIED. THE US DELEGATE SHOULD STRIVE FOR THE INCLUSION OF AS MUCH USG- SUPPORTED LANGUAGE AS POSSIBLE AS UNBRACKETED TEXT. WHERE UNBRIDGEABLE DIFFERENCES EXIST, THE US DELEGATE SHOULD SEE THAT THESE DIFFERENCES OF PRINCIPLE ARE MADE AS CLEAR AS POSSIBLE FOR THE

TRADE COMMITTEE THROUGH INCLUSION OF ALTERNATE TEXTS AND EXPLANATORY NOTES.

4. THE US STYLE AT THIS MEETING SHOULD BE LOW- KEY. TFD/ TD/720 IS BASICALLY ACCEPTABLE TO THE USG AT THIS STAGE OF DEVELOPMENT OF THIS OECD EXERCISE. THE US DELEGATE SHOULD TRY TO IMPROVE IT BUT NOT AT THE EXPENSE OF ENDANGERING THE COMPLETION OF A DRAFT INSTRUMENT. WHILE RECOGNIZING THAT SOME PARTS OF TFD/ TD/720 COULD BE IMPROVED, US DRAFTING SUGGESTIONS SHOULD BE HELD TO AN ABSOLUTE MINIMUM. THE US SHOULD RESIST VIGOROUSLY ANY ATTEMPT TO SCRAP TFD/ TD/720 AND START OVER. THE DELEGATE SHOULD BE AS FORTHCOMING AS POSSIBLE TO DRAFTING OR TECHNICAL CHANGES SUGGESTED BY OTHER DELEGATIONS.

5. THE DELEGATE SHOULD ASSURE THAT USG INTERESTS ON THE FOLLOWING ISSUES ARE REFLECTED IN ANY FINAL DRAFT GOING TO THE TRADE COMMITTEE:

COVERAGE-- THE US SHOULD ARGUE FOR AS BROAD COVERAGE AS POSSIBLE, RECOGNIZING THAT THIS ISSUE WILL ONLY BE SETTLED AT THE POLITICAL LEVEL. BRACKETED LANGUAGE IN PARA. 3 REPRESENTS THE US POSITION.

SINGLE TENDERING-- THE US DELEGATE SHOULD PRESS FOR THE LIMITED OFFICIAL USE

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RETENTION OF ALTERNATIVE 1 OF PARA. 14. HE SHOULD ARGUE AGAINST USE OF SINGLE TENDERING FOR TECHNOLOGICAL DEVELOPMENT, AS REFLECTED IN POINT 5 OF ALTERNATIVE 2, PARA. 14.

PRIOR PUBLICITY-- THE US DELEGATE SHOULD SEEK PROVISION WHICH WOULD SPELL OUT AS CLEARLY AS POSSIBLE THE INFORMATION REQUIRED TO BE PROVIDED TO BIDDERS AND THE CRITERIA

WHICH WILL BE USED IN MAKING AWARDS. PARA. 18(F), SECOND  
ALTERNATIVE, REFLECTS THIS US POSITION.

CRITERIA-- THE US DELEGATE SHOULD PRESS FOR THE PRINCIPLE  
THAT AWARD OF CONTRACTS SHOULD BE BASED ONLY ON CRITERIA  
SPELLED OUT BEFOREHAND. PARA. 30, ALTERNATIVE 2, REFLECTS  
THE US POSITION.

POST- PUBLICITY-- THE US DELEGATE SHOULD PRESS FOR FULL  
PUBLICITY OF CONTRACTS AWARDED, INCLUDING WINNING BIDDERS  
AND PRICES.

DEROGATIONS-- THE US DELEGATE SHOULD PRESS FOR A DRAFT  
WHICH INCLUDES NO PROVISION FOR DEROGATIONS.

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EXCEPTIONS-- THE US DELEGATE SHOULD SUPPORT A PERMANENT  
EXCEPTION ONLY FOR NATIONAL SECURITY, AS IN PARA. 6(F). RUSH

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\*\*\* Current Handling Restrictions \*\*\* n/a

\*\*\* Current Classification \*\*\* LIMITED OFFICIAL USE

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**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
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**Disposition Comment:** 25 YEAR REVIEW  
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